

## CLAIMS

I (WE) CLAIM:

1. A wireless communication apparatus, comprising:
  - 2 a first processor operative to receive a first indicator, the first indicator  
corresponding to available packet data transmission power; and
  - 4 a correlation unit operative to determine a packet data transmission rate  
indicator as a function of the first indicator and a received pilot  
6 signal strength.
2. The wireless communication apparatus of claim 1, wherein the first  
2 indicator corresponds to a ratio of available packet data transmission power-to-  
pilot signal strength.
3. The wireless communication apparatus of claim 2, wherein the pilot  
2 signal strength is a measure of the signal-to-noise ratio of the pilot signal.
4. The wireless communication apparatus of claim 3, further comprising:
  - 2 an adjustment node coupled to the first processor and the correlation  
unit, the adjustment node operative to adjust the signal-to-noise  
4 ratio of the pilot signal in response to the ratio to determine a  
signal-to-noise ratio for packet data transmissions.
5. The wireless communication apparatus of claim 4, wherein the packet  
2 data transmission rate indicator is the signal-to-noise ratio for packet data  
transmissions.
6. The wireless communication apparatus of claim 1, wherein the apparatus  
2 is operative to transmit the packet data transmission rate indicator via a data  
request channel.

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7. The wireless communication apparatus of claim 6, wherein the packet  
2 data transmission rate indicator is a data rate.
8. The wireless communication apparatus of claim 1, wherein the apparatus  
2 is operative within a wireless communication system supporting packet data  
transmissions and low delay data transmissions.
9. In a wireless communication system, the system operative for  
2 transmitting packet data and low delay data, the system having a total available  
transmit power, a method comprising:
- 4 establishing at least one low delay communication link using a first  
power;
- 6 determining available packet data traffic power as a function of the total  
available transmit power and the first power;
- 8 determining a packet data rate based on the available packet data traffic  
power.
10. The method of claim 9, wherein the at least one low delay  
2 communication is a voice communication.
11. The method of claim 9, wherein the first power is a signal-to-noise ratio  
2 of a pilot signal, and  
wherein the step of determining the available packet data traffic power, further  
4 comprises:
- 6 determining a traffic-to-pilot ratio of the total available transmit power  
to the first power.
12. The method of claim 11, wherein the step of determining a packet data  
2 rate further comprises:
- 4 estimating a signal-to-noise ratio of the packet data traffic by adjusting  
the signal-to-noise ratio of the pilot according to the traffic-to-pilot  
ratio.

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13. A wireless communication apparatus, comprising:
- 2 a first processor operative to receive a first indicator, the first indicator  
corresponding to a ratio of available traffic-to-pilot signal
- 4 strength;
- a measurement unit operative to receive a pilot signal and determine a
- 6 pilot signal-to-noise ratio of a pilot signal;
- a summation node coupled to the measurement unit and the first
- 8 processor, the summation node operative to adjust the signal-to-  
noise ratio by the first indicator to form a traffic signal-to-noise
- 10 ratio; and
- a correlation unit operative to receive the traffic signal-to-noise ratio and
- 12 determine an associated data rate for transmission.

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